

LAW OFFICE OF RYAN S. GOLDSTEIN, P.L.L.C.  
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(718) 239-0239  
*Attorneys for the Plaintiff*  
**CHERYL BROWN**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
CHERYL BROWN,

Plaintiff,

**RULE 26(A)(1) INITIAL  
DISCLOSURE**

- against -

Civ No. 7:22-cv-03600 (CS)

MARSHALL OF MA, INC.,

Defendant,

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Pursuant to Fed. R. Civ. P. 26(a), Plaintiff **CHERYL BROWN** hereby serves these Initial Disclosures to Defendant. These disclosures identify those individuals who may have discoverable information relevant to disputed facts alleged with particularity in the pleadings as well as describe the documents, data compilations, and tangible things held by the Plaintiff that may be relevant to disputed facts alleged with particularity in the pleadings.

These disclosures do not include the names of any potential experts retained or consulted by the Plaintiff. The Plaintiff will produce information relating to experts as may be appropriate under Federal Rule of Civil Procedure 26(a)(2) at the times provided by that Rule or any supervening order of the Court.

These disclosures do not constitute waiver of any work product protection and are without prejudice to any other issue or argument.

**A. (i) Individuals who may have discoverable information relevant to disputed facts alleged with particularity in the pleadings.**

The Plaintiff is aware of the following witnesses, in addition to those in the possession of the Defendants:

- Paul (last name currently unknown): Manager, address currently unknown;
- Felicia (last name currently unknown): Assistant Manager, address currently unknown.

**(ii) Documentary Evidence**

- City MD Urgent Care, 305 N. Central Avenue, Hartsdale, NY 10530;
- White Plains Hospital Sport & Spine, 122 Maple Avenue, 8<sup>th</sup> Floor, White Plains, NY 10601;
- Mt. Sinai Doctors Scarsdale, Dr. Taya Parnas, MD, 341 S. Central Avenue, Scarsdale, NY 10583;
- WPPA Physical and Occupational, 222 Westchester Avenue, West Harrison, NY 10604;
- Ortho Care PT & Sports Rehab, 1053 Saw Mill River Road, Ardsley, NY 10502;
- Hartsdale Imaging, 141 S. Central Avenue, Hartsdale, NY 10530.

**(iii) Computation of Damages**

Plaintiff has suffered significant limitation of the use of her body function(s) or system(s) as well as a permanent consequential limitation(s) of the use of body organ(s) or member(s), and more specifically, **Right Shoulder: Traumatic rotator cuff tear involving the supraspinatus and Superior Glenoid Labrum Lesion (SLAP).** Plaintiff had to undergo a right arthroscopy to complete tear repair the rotator cuff tendon as well as repair of the supraspinatus along with a debridement with one 2.9mm Arthrex push lock anchor at the superior to the bicipital groove. This surgical procedure was performed by Michael A. Gott, MD at White Plains Hospital on October 1, 2021. Plaintiff is currently being re-evaluated for a second surgery to her right shoulder. Plaintiff has also suffered special damages in an amount to be determined and provided at a later date.

**(iv) Insurance.**

Most of Plaintiff's medical treatment were covered by Emblem Health Insurance (ID # ACG46743S01), 200 Corporate Drive, Yonkers, NY 10701 and may result in a lien against Plaintiff's claims. The exact amounts of any medical liens to be provided at a later date.

PLAINTIFF

BY:s/

Ryan S. Goldstein (RG5231)

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**DEFENDANT'S ATTORNEY**

**Simmons Jannace DeLuca, LLP**

Attorney for Defendant

43 Corporate Drive

Hauppauge, NY 11788-2048

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**CERTIFICATE OF SERVICE**

The undersigned, an attorney at law duly admitted to practice before the Courts of this State and the United States District Court for the Southern District of New York, hereby certifies under penalties of perjury that I caused a true and accurate copy of the Plaintiff's Rule 26(a)(1) Initial Disclosure to be mailed upon this **31<sup>st</sup> day of May 2022**, to Defendant's counsel of record at the below listed address:

**Simmons Jannace DeLuca, LLP**  
Attorney for Defendant  
43 Corporate Drive  
Hauppauge, NY 11788-2048  
(631) 873-4888

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Ryan S. Goldstein